



**PATENT**  
Application No. 09/937,912  
Filed January 24, 2002  
Examiner Eisa B. Elhilo  
Art Unit 1751  
Attorney Docket No. H03933 PCT/US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the United States Patent Application of  
Applicants: Mustafa Akram,  
Wolfgang Wolff and  
Sandra Rohweder

Application No.: 09/937,912  
Filed: January 24, 2002  
Confirmation No.: 7117

Examiner: Eisa B. Elhilo  
Art Unit: 1751

Claiming priority of:  
PCT/EP00/02538, filed March 22, 2000  
DE 199 14 927.5, filed April 1, 1999

Title: PHOSPHATE-TYPE TENSIDES COMBINED WITH HAIR CONDITIONING AGENTS  
IN HAIR COLORING COMPOSITIONS

**Certificate of Mailing Under 37 C.F.R. 1.8**

I hereby certify that this Response is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to MAIL STOP — RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date of Mailing Document: December 21, 2005  
Name of applicant, attorney, or  
representative certifying mailing: Georgia Peters  
Signature: Georgia Peters  
Date of Signing: December 21, 2005

**Petition for Extension Under 37 C.F.R. § 1.136(a)**

In response to the Amendment and Response filed May 10, 2005, the United States Patent Office Examiner issued a Final Office Action on July 29, 2005. The Final Office Action had a shortened statutory period for response set to expire three (3) months from July 29, 2005, on October 29, 2005. Applicant hereby petitions for a two-month extension of time from the October 29, 2005 deadline to December 29, 2005, to file its Response Pursuant to 37 C.F.R. § 1.111. The Extension Fee in the amount of \$450.00 is enclosed.

December 21, 2005

John S. Child, Jr.  
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**RESPONSE**  
**TO UNITED STATES PATENT AND TRADEMARK OFFICE**  
**EXAMINER'S ACTION UNDER 37 C.F.R. SECTION 1.111**

**I. Introduction**

Applicants' Response is to an United States Patent and Trademark Office Examiner's Action ("Action") dated July 29, 2005. In the Action, the Examiner set a shortened statutory time for Applicants' response of three (3) months, to September 29, 2005. Applicants submit herewith a request for extension of time of two months for Applicants' reply, *i.e.*, to December 29, 2005. Accordingly, Applicants' Response is timely as it is being filed on December 21, 2005, with a Certificate of Mailing under 37 C.F.R. Section 1.8.

As the Action is a final Action, Applicants also submit herewith a Request for Continued Examination, and have requested a suspension of action on the application under 37 C.F.R. Section 1.103(c) for a period of three months.. Under 37 C.F.R. Section 1.14(d), with the timely filing of a Request for Continued Examination and the fee set forth in 37 C.F.R. Section 1.17(e), the Patent Office will withdraw the finality of an Action, and Applicants' submission will be entered and considered. Accordingly, Applicants' Response is being presented under 37 C.F.R. Section 1.111 on the basis that the finality of the Action has been withdrawn by the concurrent filing of the Request for Continued Examination.